

REMARKS

Claims 1-36 are pending. Claims 1-23 are now canceled. Reconsideration of the pending claims is requested.

The Examiner has rejected claims 1-18 under 35 U.S.C. 101 as claiming the same invention as that of claim 1 and 8 of prior U.S. Patent No. 6,875,514. Claims 1-18 are now canceled to overcome the rejection.

The Examiner has rejected claims 2-17 and 19-36 on the grounds of non-statutory obviousness-type double patent, as being unpatentable over claims 1-34 of US Patent US 6,875,514 ("the '514 patent). Claims 1-23 are now canceled and are no longer pending in the present application. With respect to claims 24-36 of the present application, a prima facie case of obviousness has not been made. Applicants point out that the '514 patent is directed to a primer coating. Contrastly, Applicants exemplify in Examples 5 and 6 beginning at page 40 and continuing to page 48 a clear coating composition. The '514 reference does not teach, suggest, or demonstrate a clear coating composition. Accordingly, withdrawal of the rejection is respectfully requested.

The Examiner has also provisionally rejected claims 1-36 on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-47 of copending Application No. 10/804260. Again, claims 1-23 are now canceled. With respect to pending claims 24-36, Applicants note that the claims of pending application 10/804260 have not been found allowable. Therefore, allowance of the present pending claims would not afford Applicants double patenting. Withdrawal of the rejection is requested.

CONCLUSION

In view of the foregoing, allowance of the above-referenced application is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chyrea J. Sebree", written in a cursive style.

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